

Message Text

UNCLASSIFIED

PAGE 01 STATE 018633
ORIGIN AF-10

INFO OCT-01 ISO-00 HA-05 TRSE-00 CIAE-00 DODE-00 PM-05
H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01
SP-02 SS-15 USIA-15 /073 R

DRAFTED BY AF/W:ESEVENDSEN
APPROVED BY AF/W:TWMSMITH
-----121586 241832Z /64

P 241801Z JAN 78
FM SECSTATE WASHDC
TO AMEMBASSY ACCRA PRIORITY

UNCLAS STATE 018633

E.O. 11652:N/A

TAGS: SHUM, GH

SUBJECT: ALLEGED POLITICAL DETAINEES IN GHANA

THE FOLLOWING ARTICLE BY DAVID B. OTTAWAY APPEARED ON
PAGE 7 OF THE JANUARY 24 EDITION OF THE WASHINGTON POST
UNDER THE HEADLINE, "GHANA CHALLENGED BY LAWYERS ON FATE
OF 450 DETAINEES."

1. QUOTE: ACCRA, GHANA -- THE FATE OF 450 DETAINEES
BEING HELD AT NSAWAM PRISON 15 MILES NORTH OF HERE IS
BECOMING A MAJOR POLITICAL ISSUE BETWEEN THE MILITARY
GOVERNMENT AND THE GHANA BAR ASSOCIATION, WHICH IS LEADING
THE CIVILIAN OPPOSITION TO IT.

2. GEN. I. K. ACHEAMPONG, HEAD OF THE RULING SUPREME
MILITARY COUNCIL, INSISTS THERE ARE NO "POLITICAL DETAINEES"
ANYWHERE IN THE COUNTRY AND THAT THE INMATES OF NSAWAM,
A MEDIUM SECURITY PRISON, ARE ALL "CRIMINAL DETAINEES."
BUT THE BAR ASSOCIATION ASSERTS THAT THEY ARE ALL POLITICAL
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 018633

DETAINEES AND THAT THERE ARE MANY OTHER SUCH PRISONERS
IN JAILS ELSEWHERE IN GHANA.

3. THE QUESTION OF HUMAN RIGHTS AND CIVIL LIBERTIES HAS
BECOME A BURNING ONE AS GHANA APPROACHES THE MARCH 30
REFERENDUM ON WHETHER THE NATION IS TO RETURN TO CIVILIAN

PARTY POLITICS OR ACCEPT A JOINT MILITARY-CIVILIAN
"UNION GOVERNMENT."

4. OPPONENTS OF ACHEAMPONG'S PROPOSAL FOR SUCH A GOVERNMENT COMPLAINT THAT THEY ARE HAVING A GREAT DEAL OF TROUBLE ARGUING THEIR CASE AND THAT THE LARGELY STATE-CONTROLLED MEDIA ARE HEAVILY SLANTED AGAINST THEM. IN ADDITION, THEY ARE UPSET BY THE ROUGH TACTICS BEING USED BY THE MILITARY GOVERNMENT'S SUPPORTERS TO SILENCE THEM, APPARENTLY WITH IMPUNITY.

5. ONE MEETING OF PROFESSIONAL PEOPLE HERE OCTOBER 12 WAS REPORTEDLY BROKEN UP BY THUGS WHO INVADED THE ACCRA COMMUNITY CENTER WHILE POLICE STOOD BY AND TOOK NO ACTION TO STOP THEM.

6. ACHEAMPONG STRONGLY CONDEMNED THE INCIDENT AND HAS REPEATEDLY SAID THAT HIS GOVERNMENT STILL UPHOLDS THE RIGHT OF DISSENTERS TO SPEAK OUT FREELY AGAINST THE UNION GOVERNMENT PLAN. BUT HIS OPPONENTS REMAIN SKEPTICAL, SAYING A LARGE NUMBER OF PERSONS HAVE BEEN IMPRISONED FOR THEIR POLITICAL VIEWS.

7. THE BAR ASSOCIATION HAS SET UP A HUMAN RIGHTS COMMITTEE TO DEFEND THESE DETAINEES AND ON DECEMBER 13 OBTAINED A WRIT OF HABEAS CORPUS FROM THE ACCRA HIGH
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 018633

COURT FOR THE RELEASE OF 175 OF THE NSAWAM PRISONERS.

8. THE MILITARY GOVERNMENT HAD ONLY LET 19 OF THEM GO BEFORE IT DECIDED TO IGNORE THE COURT ORDER AND EVEN REARRESTED THOSE WHO HAD BEEN RELEASED. THUS THE FATE OF ALL THE NSAWAM PRISONERS REMAINS IN DOUBT.

9. THE BAR ASSOCIATION MAINTAINING THAT THE 175 GHANAIS COVERED BY THE WRIT WERE TAKEN INTO CUSTODY WITHOUT ANY COURT ORDER OR EXECUTIVE DECREE. SOME HAVE BEEN IN JAIL SINCE SHORTLY AFTER ACHEAMPONG LED A COUP IN JANUARY 1972 AGAINST THE LAST CIVILIAN GOVERNMENT UNDER K.A. BUSIA.

10. "THE BITTEREST COMPLAINT WE HAVE HAD FROM THEM IS THAT THEY WERE JUST ROUNDED UP AND NOT TOLD WHAT THEY HAD DONE WRONG," SAID ASSOCIATION PRESIDENT W.N. ADUMABOSSMAN AT A PRESS CONFERENCE EARLIER THIS MONTH.

11. ASKED AT HIS OWN NEWS CONFERENCE TWO DAYS LATER ABOUT THE POSSIBILITY OF A GENERAL AMNESTY FOR ALL POLITICAL PRISONERS, ACHEAMPONG REPLIED THAT HIS GOVERNMENT'S DESIRE FOR A NATIONAL RECONCILIATION OF GHANAIS OF ALL PERSUASIONS DID NOT MEAN SUPPORT FOR "ANARCHY."

#

12. AFTER FIRST STATING THAT EACH CASE WOULD BE JUDGED ON ITS INDIVIDUAL MERITS, HE QUICKLY ADDED "THERE ARE NO POLITICAL DETAINEES, THIS I CAN ASSURE YOU ... EITHER THEY HAVE BEEN CONVICTED AND JAILED FOR OFFENSES, OR WHATEVER, BUT THERE ARE NO POLITICAL DETAINEES."

13. HE SAID THE GOVERNMENT HAD RECEIVED A NUMBER OF PETITIONS ASKING THAT CERTAIN "HARDENED CRIMINALS" BE PUT BEHIND BARS TO PROTECT THE PUBLIC AND THAT IT HAD IN FACT PUT MANY AWAY.

14. WHETHER THE 450 NSAWAM PRISON INMATES ARE "POLITICAL" OR "CRIMINAL" DETAINEES, GHANA IS SCARCELY WHAT ONE WOULD CALL A "POLICE STATE" UNDER ACHEAMPONG'S LARGELY UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 018633

BENEVOLENT RULE. EVEN BAR ASSOCIATION PRESIDENT ADUMA-BOSSMAN ADMITS THAT "THERE HAS BEEN CONSIDERABLE PROGRESS IN UNDERSTANDING THE RIGHT TO DISSENT SINCE THE END OF THE SECOND REPUBLIC." HE WAS REFERRING TO THE BUSIA GOVERNMENT.

15. IT ALSO APPEARS THAT THERE ARE RELATIVELY FEW LAWYERS, DOCTORS, TEACHERS OR STUDENTS AMONG THOSE WHO HAVE BEEN TAKEN INTO CUSTODY, THOUGH IT IS THESE GROUPS WHO ARE THE SHARPEST CRITICS OF THE ACHEAMPONG GOVERNMENT. ADUMA-BOSSMAN NAMED ONE OR TWO PROFESSIONALS AND DESCRIBED THE VAST MAJORITY OF THE NSAWAM PRISONERS AS "PEOPLE IN VERY ORDINARY SITUATIONS, LIKE SHOPKEEPERS."

16. A VISITOR TO GHANA TODAY CANNOT HELP BUT BE STRUCK BY THE WAY IN WHICH MANY GHANAIS OPPOSED TO THE UNION GOVERNMENT PROPOSAL CRITICIZE BOTH IT AND MILITARY RULE IN PUBLIC PLACES AS WELL AS THEIR HOMES. NO ONE SEEMS TERRIBLY CONCERNED ABOUT BEING ARRESTED BY PLAINCLOTHES POLICEMEN LURKING IN THE SHADOWS.

17. AS THE STATE OF HUMAN RIGHTS GOES IN AFRICAN COUNTRIES THESE DAYS, GHANA COULD HARDLY BE DESCRIBED AS A SERIOUS OFFENDER. SO FAR AS THIS REPORTER COULD ASCERTAIN, NOT ONE GHANAIS, CIVILIAN OR MILITARY, HAS BEEN EXECUTED DESPITE AT LEAST THREE UNSUCCESSFUL ATTEMPTS TO OVERTHROW ACHEAMPONG. SURPRISINGLY FEW CIVILIAN POLITICIANS HAVE BEEN JAILED RECENTLY, DESPITE A NEARLY SUCCESSFUL STRIKE AGAINST THE GOVERNMENT LAST SUMMER.

18. HOWEVER, AN UNDETERMINED NUMBER OF STUDENTS INVOLVED IN ANTI-MILITARY DEMONSTRATIONS EARLIER THIS MONTH WERE REPORTEDLY ARRESTED HERE AND IN KUMASI. SOME WERE RE-UNCLASSIFIED

UNCLASSIFIED

PAGE 05 STATE 018633

LEASED THE FOLLOWING DAY, BUT NOT ALL OF THEM.

19. THE REAL PROBLEM FOR ACHEAMPONG'S CIVILIAN OPPONENTS APPEARS TO BE PRIMARILY THE LACK OF OPPORTUNITY TO MAKE THEIR VIEWS KNOWN TO THE PUBLIC. THE COUNTRY'S TWO LARGEST DAILY NEWSPAPERS, AND THE NATIONAL RADIO AND TELEVISION, ARE ALL STATE-CONTROLLED AND GIVE LITTLE TIME TO AIRING OPPOSITION OPINION.

20. ANOTHER LEGITIMATE CONCERN OF DISSENTERS HERE SEEMS TO BE THE THREAT OF INTIMIDATION AND EVEN BODILY ASSAULT, BY CIVILIAN SUPPORTERS OF THE MILITARY GOVERNMENT. NO ONE SEEMS TO BE INTERESTED, OR ABLE, TO CURB THEIR EXCESSES AND NONE OF THE PROFESSIONALS AT THE COMMUNITY CENTER HAS BEEN ARRESTED.

21. MEANWHILE, THE ISSUE OF WHETHER THERE ARE REALLY POLITICAL DETAINEES IS STILL BEING FOUGHT OUT IN THE COURTS BETWEEN THE GOVERNMENT AND THE BAR ASSOCIATION. THE ASSOCIATION HAS JUST CITED THE MILITARY AUTHORITIES FOR CONTEMPT OF HIGH COURT IN REFUSING TO RELEASE THE 175 NSAWAM PRISONERS. UNQUOTE.

22. FOLLOWING IS THE PRESS GUIDANCE WHICH WAS SUPPLIED TO THE STATE DEPARTMENT SPOKESMEN ON JANUARY 24: QUOTE GHANA HAS, AND HAS HAD ALMOST CONTINUOUSLY SINCE INDEPENDENCE, PROVISIONS FOR PREVENTIVE DETENTION. HOWEVER, SINCE 1973 THE USE OF PREVENTIVE DETENTION HAS BEEN LIMITED, AND REASONABLY PROMPT JUDICIAL ACTION IS TAKEN. GHANA'S ACTIVE BAR ASSOCIATIONS, INDEPENDENT COURTS, AND THE RIGHT OF HABEAS CORPUS SERVE AS RESTRICTIONS ON ARBITRARY ARRESTS OR IMPRISONMENT. THE CHIEF OF STATE, GENERAL ACHEAMPONG CLAIMS THERE ARE NO POLITICAL DETAINEES IN GHANA. THE BAR ASSOCIATION ASSERTS THERE ARE 450 AND IS TAKING LEGAL STEPS TO SECURE THEIR RELEASE. THE GHANAIAN COURTS EVENTUALLY WILL ADJUDICATE THESE UNCLASSIFIED

UNCLASSIFIED

PAGE 06 STATE 018633

CONFLICTING CLAIMS. WE WILL LEAVE IT TO THE COURTS TO DETERMINE THE TRUTH OF THIS MATTER AND WILL NOT FEED SPECULATION AS TO NUMBERS. UNQUOTE.

VANCE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ALLEGATIONS, POLITICAL PRISONERS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE018633
Document Source: CORE
Document Unique ID: 00
Drafter: ESEVENDSEN
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780035-0936
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780128/aaaaaxlp.tel
Line Count: 222
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 9bdfa1e0-c288-dd11-92da-001cc4696bcc
Office: ORIGIN AF
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28 feb 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3722143
Secure: OPEN
Status: NATIVE
Subject: ALLEGED POLITICAL DETAINEES IN GHANA THE FOLLOWING ARTICLE BY DAVID B. OTTAWAY APPEARED ON PAGE 7 OF THE JANUARY 24 EDITION OF THE WASHINGTON
TAGS: SHUM, GH
To: ACCRA
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/9bdfa1e0-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014